UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

NATIONWIDE LIFE INSURANCE COMPANY OF

AMERICA,

Plaintiff,

-V-

ROBERT RAWISZER and DAVID RAWISZER,
Defendants.

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: 08 Civ. 587 (DLC)

ORDER OF DISCONTINUANCE

DENISE COTE, District Judge:

It having been reported to this Court that this case has been settled, it is hereby

ORDERED that the above-captioned action be, and hereby is, discontinued without costs to either party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made within thirty days.

SO ORDERED:

Dated: New York, New York

July 22, 2008

DENISE COTE

United States District Judge